

TOWNSHIP OF MOORE

ZONING ORDINANCE

Adopted: July 24, 1997
Effective: August 6, 1997
Amended: January 8, 2003
Amended: June 6, 2007
Amended: September 1, 2010

ORDINANCE NO. 100

2003 Amendment

to the

**Township of Moore
Zoning Ordinance
No. 100**

On the 8th day of January 2003, Moore Township amended their Zoning Ordinance by adding the following:

**Ordinance Number 100, Article VII Commercial District,
Section 7.02 Uses Permitted After Special Approval,**

Subsection F:

Manufacturing, assembling, machining, or other light industrial production as long as it is in conjunction with and related to the commercial use and does not occupy more than 25% of the useable floor space of the building.

2010 Amendment

to the

Township of Moore
Zoning Ordinance
No. 100

On the 1st day of September 2010, Moore Township amended their Zoning Ordinance by adding the following to

ARTICLE I, Activities Cover By Ordinance:

Section 1.02. Zoning Prohibits the establishment of any business that operates in violation of Federal, State, or local laws. This amendment covers the operation of Medical Marijuana business as it is in violation of Federal law.

TOWNSHIP OF MOORE ZONING ORDINANCE

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ZONING ORDINANCE

TOWNSHIP OF MOORE

ORDINANCE NO. 100

AN ORDINANCE to regulate the use of land within the Township of Moore, Sanilac County, Michigan in accordance with the provisions of Act 184, of the Public Acts of 1943, as amended.

THE TOWNSHIP OF MOORE ORDAINS:

ARTICLE I

Activities Covered By Ordinance

Section 1.01. No building or structure, or part thereof, shall be erected, constructed, placed, altered, or moved; and no new use or change in use shall be made of any building, structure, or land, or part thereof; except in conformity with the provisions of this Ordinance.

ARTICLE II

Administration

Section 2.01. ZONING ADMINISTRATOR. The provisions of this Ordinance shall be administered by a Zoning Administrator appointed by the Township Board. The Zoning Administrator shall serve under such terms and at such rate of compensation as the Township Board may determine.

Section 2.02. ZONING PERMITS. A zoning permit shall be acquired from the Zoning Administrator before any construction is undertaken, any structure is moved, or any change in the use of any land or structure is undertaken within the Township.

- A. APPLICATION. A zoning permit shall be applied for in writing on an application form provided by the Township.
- B. PERMIT ISSUANCE. A zoning permit shall be issued by the Zoning Administrator whenever the proposed use complies with the provisions of this Ordinance and any necessary Planning Commission, Board of Appeals, or Township Board approvals have been obtained.
- C. EXPIRATION. A zoning permit shall expire one year after the date of issuance unless the proposed use has been commenced

within that year. Any amendment to the Zoning Ordinance shall have the effect of voiding any outstanding zoning permits for uses which have not been commenced and which would violate the amendment.

- D. VOID PERMITS. Any zoning compliance permit issued in error or pursuant to an application containing any false statements shall be void.
- E. PRIVATE RESTRICTIONS. The Zoning Administrator may not refuse to issue a zoning compliance permit due to violations of private covenants, agreements, or deed restrictions.
- F. FEES. The amount of any fees charged for zoning permits, applications, or inspections shall be established by the Township Board.

Section 2.03. PRINCIPAL USES PERMITTED. All uses of land or structures listed as "principal uses permitted" shall be permitted throughout the district under which they are listed. Any use not expressly listed as a "principal use permitted" is prohibited in that district, unless approval has been obtained from the Planning Commission for the use as a "use permitted after special approval".

Section 2.04. USES PERMITTED AFTER SPECIAL APPROVAL. A use of land or structures listed as "uses permitted after special approval" shall be permitted within the district under which it is listed, provided that Planning Commission approval has been granted pursuant to this Ordinance.

ARTICLE III

Zoning Districts

Section 3.01. DISTRICTS. The Township is hereby divided into the following zoning districts:

AR	Agricultural Residential
R	Higher Density Residential
MHP	Mobile Home Park
C	Commercial
I	Industrial

Section 3.02. DISTRICT BOUNDARIES AND MAP. The boundaries of the zoning districts are drawn upon the map attached to this Ordinance and made a part hereof. The map shall be designated the Moore Township Zoning Map.

ARTICLE IV

AR Agricultural Residential District

Section 4.01. PRINCIPAL USES PERMITTED.

- A. Farms, farm buildings, and farm uses.
- B. Single-family dwellings (subject to Section 11.06).
- C. Roadside stands, provided the produce sold is grown on the property on which the stand is located.
- D. Family day care homes.
- E. State licensed residential facilities for six or fewer residents.
- F. Buildings, structures and uses which are accessory to any of the above-permitted uses.

Section 4.02. USES PERMITTED AFTER SPECIAL APPROVAL.

- A. Private parks, recreation areas, campgrounds, and golf courses.
 - 1. Minimum site size shall be ten (10) acres.
 - 2. All development features shall be located so as to minimize the possibility of any adverse effect upon adjacent property. This shall include a minimum setback of one hundred (100) feet from property lines.
 - 3. Activities shall be adequately screened from abutting property.
 - 4. Related accessory commercial uses may be permitted in conjunction with the recreation use when it is clearly incidental to the main recreational character of the property.
- B. Dog kennels and the raising of fur bearing animals.
 - 1. All animals shall be housed, fenced and maintained in an adequate manner.
 - 2. All pens and runways in dog kennels shall be screened from view from any residences or roads by buildings or greenbelt plantings.

3. Dog kennels shall be set back a minimum of fifty (50) feet from each property line and one hundred fifty (150) feet from the road.

C. Quarrying of soil, sand, clay, gravel or similar materials.

1. Each application for special approval shall contain the following:

- a) Names and addresses of property owners and proposed operators of the premises.
- b) Legal description of the premises.
- c) Detailed statement as to method of operation, type of machinery or equipment to be used and estimated period of time that the operation will continue.
- d) Detailed statement as to the type of deposit proposed for extraction.
- e) Reclamation plan and detailed statement as to the proposed use of the land after quarrying or fill operations are complete.

2. Operational Requirements.

- a) Pit Operations.
- b) In operations involving deep excavations, the operator shall provide adequate safeguards to protect the public safety. These safeguards may include fencing, locked gates, and warning signs.
- c) The Planning Commission may require that any gravel or dirt roads used for the purpose of ingress and egress to said excavation site be kept dust free by hardtopping or chemical treatment.
- d) The completed slopes of the banks of any excavation shall in no event exceed a minimum of three (3) feet to one (1) foot (three foot horizontal to one foot vertical).
- e) No cut or excavation shall be made closer than two Hundred (200) feet from the centerline of the nearest road right-of-way nor nearer than fifty (50) feet to the nearest property line. The Planning Commission may prescribe more strict

requirements in order to give sublateral support to surrounding property where soil or geologic conditions warrant it.

- f) The Planning Commission shall, to insure strict compliance with Ordinance provisions and required conditions of a permit for quarrying, require the permittee to furnish a bond in an amount determined by the Planning Commission.

D. Home Occupations.

- 1. The home occupation must be conducted entirely within an existing building.
- 2. The home occupation shall be clearly incidental and secondary to the use of the premises as a residence.
- 3. No noise, odor, fire hazard, or traffic congestion shall be created beyond that which is normal in a residential area.
- 4. No outdoor storage or display of merchandise or materials shall be allowed.

E. Agricultural Businesses

- 1. Must be engaged solely in providing agricultural goods or services, such as tiling, grain processing, farm equipment repairs, and similar activities.
- 2. Must be located on a farm.
- 3. Cannot have more than three (3) employees.

F. State licensed residential facilities for seven or more residents.

G. Group day care homes.

H. Township and County governmental buildings, structures and facilities.

I. Schools, churches, and cemeteries.

J. Bed and Breakfast establishments.

- 1. The home must provide adequate sleeping rooms and bathroom facilities for the number of guests proposed to be lodged in the home. No more than six bedrooms shall be utilized for rental purposes.

2. The dwelling must comply with fire safety requirements, including a sufficient number of smoke alarms.
 3. Occupancy shall be limited to short term (less than one month) periods.
- K. Telecommunications towers (as defined in Section 19.01)
1. The parcel of land must be sufficiently large to contain the full length of the tower in the event it comes down.
 2. The applicant shall demonstrate that the proposed tower will not interfere with radio and television reception.
 3. A bond equal to the removal cost of the tower shall be posted with the township.
 4. The tower site shall be fenced with chain link fencing to prevent unauthorized access.
 5. Landscaping, which may include a berm, may be required by the Planning Commission.

ARTICLE V

R Higher Density Residential District

Section 5.01. PRINCIPAL PERMITTED USES.

- A. Single-family dwellings (subject to Section 11.06).
- B. Family day care homes.
- C. State licensed residential facilities for six or fewer residents.
- D. Single-family residential subdivisions, either platted subdivisions or site condominium subdivisions subject to Section 11.14.
- E. Buildings, structures and uses which are accessory to any of the above-permitted uses.

Section 5.02. USES PERMITTED AFTER SPECIAL APPROVAL.

- A. Multiple family dwellings and duplex dwellings.
- B. Golf courses.
- C. Planned Unit Developments pursuant to Section 11.13.

- D. Bed and Breakfast establishments, pursuant to the requirements of Section 4.02.J.
- E. Home occupations (subject to the requirements of Section 5.02.D.).
- F. State licensed residential facilities for seven or more residents.
- G. Group day care homes.
- H. Governmental buildings, structures, facilities, and parks.
- I. Schools and churches.
- J. Convalescent homes.
- K. Detention and penal facilities, including rehabilitation camps.
 - 1. Minimum site size of twenty (20) acres.
 - 2. Cannot be within one mile of school or church facility.

ARTICLE VI

MHP Mobile Home Park District

Section 6.01. PRINCIPAL USES PERMITTED.

- A. Single family and duplex dwellings
- B. Mobile home parks, but not including mobile home dealerships.
 - 1. The minimum size of the mobile home park shall be 20 acres.
 - 2. The minimum width of the mobile home park property shall be 600 feet.
- C. State licensed residential facilities for six or fewer residents.

ARTICLE VII

C Commercial District

Section 7.01. PRINCIPAL USES PERMITTED.

- A. Any retail business which sells or rents merchandise within a completely enclosed building.
- B. Personal service establishments such as restaurants, taverns, laundromats, barber shops, beauty shops, and dry cleaning establishments.

- C. Repair shops for consumer items such as watches, shoes, furniture and appliances.
- D. Professional and business offices.
- E. Financial institutions.
- F. Hospitals.
- G. Funeral homes and mortuaries.
- H. Mini-storage facilities which provide storage space for personal use.
- I. Hotels, motels, lodge halls, private clubs, auditoriums, and indoor recreational establishments.
- J. Schools, churches, and publicly-owned buildings or facilities.
- K. Buildings, structures and uses which are accessory to any of the above permitted uses.

Section 7.02. USES PERMITTED AFTER SPECIAL APPROVAL.

- A. Open-air businesses such as drive-in theaters, fuel or propane sales, race tracks, used car sales, farm machinery sales, fruit markets, outdoor recreational facilities, or any retail business activities which are conducted entirely or partially outside of an enclosed building.
- B. Repair, service, or storage facilities for automobiles, trucks, construction equipment, farm machinery, and similar equipment.
- C. Billboards, pursuant to the regulations contained in Section 11.07 of this Ordinance.
- D. Residences.
- E. Telecommunications towers subject to the requirements contained in Section 4.02.K.

ARTICLE VIII

I Industrial District

Section 8.01. PRINCIPAL USES PERMITTED.

- A. Factories engaged in manufacturing, assembling, machining, or other industrial production.

- B. Truck terminals, railroad yards and airports.
- C. Laboratories.
- D. Warehousing, storage, or wholesale facilities.
- E. Buildings, structures, and uses which are accessory to any of the above permitted uses.

Section 8.02. USES PERMITTED AFTER SPECIAL APPROVAL.

- A. Junk or salvage yards. Any such yard must be completely enclosed by a wall, berm, or fence at least eight (8) feet in height which completely obscures all material within the yard.
- B. Sewage treatment plants and similar facilities.
 - 1. Must comply with all regulations of the State of Michigan.
 - 2. Must be completely enclosed by an obscuring wall, fence, or greenbelt.
- C. Slaughter houses and meat processing facilities.
- D. Industries involving the processing, treatment, use or storage of explosives, toxic chemicals, or radioactive materials.
- E. Billboards, pursuant to the regulations contained in Section 11.07 of this Ordinance.
- F. Telecommunications towers, subject to the requirements contained in Section 4.02.K.

ARTICLE IX

Area, Setback and Height

Section 9.01. COMPLIANCE.

- A. All structures shall comply with the area, setback, and height requirements of Section 9.02, unless different requirements are specified as a condition for a use permitted after special approval.

Section 9.02 (Amended 2007)

AREA, SETBACK AND HEIGHT REQUIREMENTS

Zoning District	Minimum Land Area Per Dwelling or Commercial or Industrial Building	Minimum Lot Width In Feet (a)	Minimum Front Yard Setback In Feet (c)	Minimum Side Yard Setback In Feet (d)	Minimum Rear Yard Setback In Feet (d)	Minimum Floor Area Per Dwelling In Sq. Feet	Maximum Building Height In Feet (e)
AR	2 acres	200	100	25	35	920	35
R	8,712 Sq. Feet	66	63	10	30 (f)	920 (g)	35
MHP	1 acre	150	100	25	35	920	35
C	2 acres	200	100	25	35	-	35
I	5 acres	400	100	25	35	-	50

(a) Measured at the road right-of-way line.

(b) In no case shall the length of any parcel exceed 4 times the width of the parcel.

(c) Measured from the center of the road. On state highways, setbacks shall be at least 150 feet from the center of the highway.

(d) No building shall be constructed within 100 feet of the right-of-way line of any road.

(e) Not applicable to farm structures such as barns, silos, or grain elevators. Also not applicable to telecommunication towers.

(f) No accessory building shall be within 10 feet of a rear property line.

(g) The total square footage of all structures shall not exceed 35% of the area of the lot.

ARTICLE X

Parking and Loading Requirements

Section 10.01. GENERAL PARKING REQUIREMENTS. In all zoning districts, off-street parking facilities for the storage and parking of motor vehicles shall be provided as required below. The parking spaces shall be maintained and shall not be encroached upon so long as the main building or structure remains, unless an equivalent number of parking spaces are provided elsewhere.

- A. AREA FOR PARKING SPACE. For the purpose of this Section, three hundred (300) square feet of lot area shall be deemed a parking space for one (1) vehicle, including access aisles.
- B. LOCATION OF PARKING SPACE. The parking facilities shall be located on the same lot or within five hundred (500) feet of the permitted uses requiring the parking.
- C. SEATING. As used in this Article for parking requirements, a seat shall mean either an individual chair or each twenty-four (24) inches of seating facilities.
- D. SIMILAR USES AND REQUIREMENTS. In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is similar shall apply.
- E. EXISTING OFF-STREET PARKING. Off-street parking existing at the effective date of this Ordinance which serves an existing building or use shall not be reduced in size to less than that required under the terms of this Ordinance.
- F. DRAINAGE. All parking areas shall be drained so as to dispose of surface water which might accumulate within or upon such area.
- G. ILLUMINATION. All illumination for such parking areas shall be deflected away from adjacent residential areas.
- H. SURFACING. All parking areas shall be paved or graveled in a manner sufficient to provide a solid base at all times of the year.

Section 10.02. TABLE OF PARKING REQUIREMENTS. The amount of required off-street parking space for new uses of land, buildings, or additions shall be determined in accordance with the following table. The space required shall be stated in the application for a zoning permit and shall be irrevocably reserved for such use.

REQUIRED NO. OF PER EACH UNIT OF
 PARKING SPACES MEASURE AS FOLLOWS:

USE

1. Auditoriums, Assembly Halls, Theaters, Churches, Private Clubs, Lodge Halls, Schools	1	Two seats based upon maximum seating capacity in the main place of assembly therein, plus one space for every two employees.
2. Banks, Business or Professional Offices, Libraries, Museums	1	Two hundred (200) square feet of usable floor area.
3. Barber Shops, Beauty Parlors	3	Each barber or beauty operator.
4. Bowling Alleys, Golf Courses	5	Each bowling lane or each hole on a golf course.
5. Furniture, appliances, and household equipment repair shops, showroom of a plumber, decorator, electrician or similar trade, clothing and shoe repair, laundry, motor vehicle salesroom, hardware stores, wholesale stores and machinery sales	1	Six hundred (600) square feet of usable floor area, plus one space for each two employees.
6. Hotels, Tourist Homes, Motels, Hospitals, Convalescent Homes	1	Each guest bedroom and each two employees.

REQUIRED NO. OF
PARKING SPACES

PER EACH UNIT OF
MEASURE AS FOLLOWS:

USE

- | | | | |
|-----|--|---|--|
| 7. | Industrial Establishments and Warehouses | 1 | Each employee computed on the basis of the greatest number of persons employed at any one period during the day. |
| 8. | Residential | 2 | Each dwelling unit. |
| 9. | Restaurant or establishments in which is conducted the sale and consumption on the premises of beverages, food, or refreshments. | 1 | Each two seats, plus one space for each two employees. Minimum of forty (40) spaces for drive-in restaurants. |
| 10. | Service garages, auto salesrooms, auto repair, collision or bumping shops, car wash establishments | 1 | Two hundred (200) square feet of usable floor area, plus one space for each auto service space. |
| 11. | Retail establishments and businesses, except as otherwise specified above. | 1 | One hundred (100) square feet of usable floor space. |

Section 10.03. OFF-STREET LOADING REQUIREMENTS. On the same property with every building or structure used for manufacturing, storage, warehouse, goods display, department store, wholesale, market, hospital, mortuary, laundry, dry cleaning, or other uses involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot adequate space for loading and unloading in order to avoid undue interference with public use of the streets, alleys, or off-street parking areas.

Such loading and unloading space, unless adequately provided for within a building, shall be an area at least 10 feet by 30 feet, with minimum 14 foot height clearance, and shall be provided according to the following schedule:

<u>Gross Floor Area (Square Feet)</u>	<u>Loading Spaces Required</u>
0 - 2,000	None
2,000 - 20,000	One space
0 - 100,000	One space for each 20,000 square feet.
Over 100,000	Five spaces plus one space for each 40,000 square feet in excess of 100,000 square feet.

ARTICLE XI

General Provisions

Section 11.01. CONFLICTING REGULATIONS. Whenever any provisions of this Ordinance impose more stringent requirements than are imposed by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern.

Section 11.02. ROAD FRONTAGE. Every dwelling or other building shall be located on a lot or parcel which shall front upon a public road.

Section 11.03. PROPERTY DIVISIONS. No property shall be divided in such a manner that the length of any resulting parcel exceeds four (4) times the width of that parcel.

Section 11.04. MOVING OF BUILDINGS. No structure shall be moved upon any premises in the Township until a zoning compliance

permit shall have been secured. Any such structure shall fully conform to all the provisions of this Ordinance in the same manner as a new structure. No structure shall be moved to any site within the Township until the owner has posted a cash deposit in an amount specified by the Township Board, guaranteeing full compliance with the Township ordinances. The site from which a building or structure has been moved shall be graded level and all debris shall be cleared away.

Section 11.05. OCCUPANCY OF BUILDINGS OTHER THAN COMPLETED DWELLINGS. Garages, barns, accessory buildings, and basements shall not be occupied either temporarily or permanently as dwellings.

Section 11.06. SINGLE-FAMILY DWELLING REQUIREMENTS. Any single-family dwelling shall comply with the following minimum standards:

- A. MINIMUM SIZE. Each dwelling shall contain the minimum number of square feet specified in Section 9.02, prior to any alterations or additions.
- B. MINIMUM WIDTH. Each dwelling shall be no less than fourteen (14) feet in width in all directions.
- C. FOUNDATION. Each dwelling shall be provided with foundation support in the form of a perimeter masonry or treated wood foundation or cement pillars pursuant to the specifications of the building inspector. Skirting consisting of brick, concrete blocks, wood, vinyl or aluminum shall be constructed completely around the lower edge of any dwelling utilizing pillars for a foundation. Each dwelling shall be securely anchored to the foundation.
- D. STORAGE FACILITIES. Each dwelling shall have either a basement, garage or storage building containing at least 100 square feet of storage area. The storage facility shall be constructed at the same time as the dwelling.
- E. CONSTRUCTION CODE. Each dwelling and dwelling addition shall comply with building code requirements in effect at the time the dwelling is constructed or moved within the Township.

Section 11.07. SIGNS. All signs shall comply with the requirements of this Section.

- A. The following signs may be erected in the Township without prior Planning Commission approval, provided the other requirements of this Section are complied with:

1. Signs advertising real estate for sale or rent. Such signs may not exceed nine (9) square feet in sign area.
 2. Signs advertising agricultural produce grown on the premises. Such signs may not exceed nine (9) square feet in sign area.
 3. Signs advertising personal property owned by a resident of the premises; provided such personal property was not purchased for the purpose of resale. Such signs may not exceed nine (9) square feet in sign area.
 4. Signs advertising home occupations which have received approval pursuant to the Zoning Ordinance. Such signs may not exceed nine (9) square feet in sign area.
 5. Signs promoting political candidates or election issues. Such signs may not exceed thirty-two (32) square feet in sign area. Such signs shall not be erected more than sixty (60) days prior to an election and shall be removed within ten (10) days after the election.
 6. Signs stating the name and/or address of a property owner. Homeowner signs may not exceed four (4) square feet in sign area. Farm owner signs may not exceed twenty-four (24) square feet in sign area.
- B. A sign site plan shall be approved by the Township Planning Commission before any sign is erected, constructed, or altered, except for signs permitted by sub-section A above.
- C. The Planning Commission shall review each site plan as to location, height, aesthetics, compatibility with the surrounding buildings and facilities, and compliance with Township ordinances. The Planning Commission may require revisions to the sign site plan.
- D. No sign shall include any flashing, oscillating, or intermittent illumination.
- E. All illuminated signs shall be so placed as to prevent the rays and illumination therefrom from being directly cast upon any residences or roadways.
- F. No sign shall rotate nor contain any moving parts.
- G. All signs shall be set back from all property lines no less than the minimum distance required by the Zoning Ordinance for buildings and structures and from all road right of way lines at least ten (10) feet.

H. All signs shall be maintained so that they comply continuously with all requirements of this Ordinance and are kept in a good state of repair.

I. ON-SITE SIGNS.

1. One principal sign shall be permitted on the site of each commercial, industrial, or institutional facility.
2. Principal on-site signs shall not exceed sixty-four (64) square feet in sign area.
3. No more than two secondary signs shall be permitted on the site of each commercial, industrial, or institutional facility.
4. Secondary on-site signs shall not exceed sixteen (16) square feet in sign area.

J. OFF-SITE SIGNS (BILLBOARDS).

1. Off-site signs may only be located on parcels of land which are zoned for commercial or industrial use.
2. Off-site signs shall not exceed sixty-four (64) square feet in sign area.
3. No off-site sign shall be erected within three hundred (300) feet of any other off-site or on-site sign.

Section 11.08. PONDS. No pond shall be dug within any front, side or rear setback line required by this Ordinance. The resulting spoil shall be either removed from the site or contoured and seeded to grass.

Section 11.09. GREENBELTS.

- A. In all zoning districts, no area within the required front yard setbacks shall be used for any permanent or temporary structures other than signs permitted by Township ordinances. Said front yard setback areas shall be planted and continuously maintained with grass, shrubs, and landscaping materials, except for the portion developed for use as a parking area or driveway.
- B. Whenever any property is developed for any use other than agricultural or residential, and the property borders any property zoned for residential use, a greenbelt at least ten (10) feet in width along said borders shall be planted and maintained.

- C. Detailed landscaping plans for all greenbelts shall be provided on the site plan relating to the development and shall be considered as a material part of the site plan. No construction project shall be deemed to be completed until all landscaping features required on the site plan have been planted or installed.
- D. The Planning Commission shall review and approve the type of plantings required to provide a satisfactory greenbelt in any specific situation.

Section 11.10. TEMPORARY MOBILE HOMES.

- A. The Zoning Administrator may issue a permit for a temporary mobile home to be occupied for one year during the time that a permanent dwelling is being constructed. A temporary mobile home permit may be issued if the following requirements are complied with:
 - 1. A building permit for the permanent dwelling must be acquired before the temporary mobile home is placed on the premises.
 - 2. The permanent dwelling must be completed and the temporary mobile home removed from the property before the expiration of the temporary mobile home permit.
 - 3. The applicant must execute an affidavit guaranteeing that the temporary mobile home will be removed from the premises at the expiration of the permit period.
 - 4. A temporary mobile home permit may be renewed one time to grant up to one additional year for completion, providing reasonable progress has been made on construction of the permanent dwelling during the first one year permit period.
- B. Variances to permit the occupancy of mobile homes within the Township may also be granted by the Board of Zoning Appeals pursuant to the procedures contained in Article XVII. Such variances for mobile home occupancy may only be granted for the purpose of housing farm labor or for the purpose of the housing of family members who are unable to reside elsewhere due to age, poor health, or indigence. Any mobile home approved under this Section may not be over 15 years old at the time it is placed on the site. Any mobile home approved pursuant to this Section shall be placed on a reinforced concrete pad or concrete piers and provided with adequate tie downs and skirting. In the event that the temporary mobile home ceases to be used for the purpose it was granted for, the mobile home shall be removed from the property

within thirty (30) days of the date it ceases to be used for the purpose for which it was granted.

Section 11.11. PROHIBITED STRUCTURES. No bus or motor vehicle body or similar item shall be placed on any property for use as a storage structure or other building purpose. Semi-truck trailers may be used for storage on bonafide operating farms, provided that they are maintained in good condition and do not exceed two (2) on any farm.

Section 11.12. PUBLIC UTILITIES. Certain facilities provided by public utility companies regulated by the Michigan Public Service Commission or by the Township government shall be permitted in all zoning districts. Public utility facilities permitted by this Section shall include transmission lines, sewers, mains, pumping stations, sub-stations, poles, and related equipment. Any office, warehouse, manufacturing, or sales buildings or transmission towers of a public utility must be located in a zoning district permitting that use and shall be subject to site plan review requirements.

Section 11.13. PLANNED UNIT DEVELOPMENTS.

- A. A Planned unit development site must contain a minimum of forty (40) acres.
- B. Planned unit developments may contain a combination of single family, two-family, and multiple family dwellings. The single family dwellings may include either detached or attached condominium units. The single family dwelling units shall comprise no less than fifty (50%) percent of the total dwelling units within the development.
- C. A minimum of ten (10%) percent of the total area of the planned unit development shall be dedicated to the common use of the residents for recreational and open space purposes.
- D. Local commercial uses such as beauty shops, professional offices, convenience stores and similar neighborhood retail facilities may be permitted by the Planning Commission within planned unit developments. The approval of any commercial uses shall be discretionary with the Planning Commission depending on the location of the planned unit development and the need for commercial services in the immediate area. In no case shall commercial facilities exceed five (5%) percent of the total area of the development. No construction of commercial facilities shall be allowed to commence until at least fifty (50%) percent of the residential dwelling units have been completed.

- E. The minimum setback, height, and floor area requirements for the R Zoning District specified in Section 9.02 shall apply to planned unit developments.
- F. The total number of dwelling units permitted within a planned unit development shall not exceed an average of two (2) dwelling units per acre computed across the entire acreage of the planned unit development. However, the dwelling units may be clustered or concentrated so that a portion of the property can be dedicated to open space uses.
- G. A written statement as to the proposed sequence of construction and time table of construction for the various units of the development shall accompany the site plan. Development phases, if any, shall also be designated on the site plan itself. The Planning Commission may require a specific sequence of construction as a condition of approval.
- H. A bond shall be provided to the Township in an amount sufficient to guarantee completion of roads, parks, sewers, and other common facilities. The bond amount shall be established by the Planning Commission and shall remain in effect until all common facilities are fully completed.

Section 11.14. CONDOMINIUM SUBDIVISIONS. Single-family detached condominiums may be allowed as a permitted use in the Agricultural-Residential (AR) or Higher Density Residential (R) districts, subject to the requirements of this section. The intent of these requirements is to ensure that all condominium subdivisions are developed in compliance with standards applicable to similar forms of development.

- A. REVIEW. Pursuant to authority conferred by Section 141 of the Condominium Act, all condominium subdivision plans shall require approval by the Planning Commission before site improvements may be initiated. The review process shall consist of the following two steps:
 - 1. Preliminary Plan Review. In the preliminary review phase, the Planning Commission shall review the overall plan for the site including basic road and utility configurations and the consistency of the plans with all applicable provisions of township ordinances. Plans submitted for preliminary review shall include information specified in items 1, 2 and 3 of the submission requirements in subsection B below.
 - 2. Final Plan Review. Upon receipt of preliminary plan approval the applicant should prepare the appropriate engineering plans and apply for final review by the

Planning Commission. Final plans shall include information as required by items 1-7 of the submission requirements. Such plans shall have been submitted for review and comment to all applicable county and state agencies. Final Planning Commission approval shall not be granted until such time as all applicable review agencies have had an opportunity to comment on the plans.

B. Submission Requirements. All condominium subdivision plans shall be submitted for review as required by Section 4.32 of this ordinance (site plan review) and section 66 of the Condominium Act, and shall also include the following information.

1. A survey of the condominium subdivision site.
2. A plan delineating all natural features on the site including, but not limited to ponds, streams, lakes, drains, floodplains, wetlands and woodland areas.
3. The location size, shape, area and width of all condominium units, and the location of all proposed streets.
4. A copy of the master deed and a copy of all restrictive covenants to be applied to the project.
5. A utility plan showing all sanitary sewer, water, and storm drainage improvements, plus any easements granted for installation, repair and maintenance of utilities.
6. A street construction, paving, and maintenance plan for all streets within the proposed condominium subdivision plan.
7. A storm drainage and storm water management plan, including all swales, drains, basins, and other facilities.

C. District Requirements. The development of all condominium subdivisions shall observe the applicable yard setback and minimum floor area requirements for structures within the zoning district within which the project is located. The dwelling unit density of the project shall be no greater and spacing no less than would be permitted if the parcel were subdivided into individual lots.

D. Streets. All streets in a condominium subdivision shall conform to the County Road Commission Standards for subdivision streets.

- E. Utility Easements. The condominium subdivision plan shall include all necessary easements for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing and/or removing pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities, including the conveyance of sewage, water and storm water run-off across, through, and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structures.
- F. Engineering Reviews. Copies of an 'as built" survey shall be provided to the township demonstrating compliance with applicable township ordinances.

ARTICLE XII

Non-conforming Lots, Uses, and Structures

Section 12,01. CONTINUED NON-CONFORMING USES PERMITTED. Within the districts established by this Ordinance there exist lots, structures, and uses of land and structures, which were lawful prior to the adoption of this Ordinance. These non-conformities may continue until they are removed. The non-conformities shall not be enlarged upon, expanded or extended in any manner which increases their non-conformity.

Section 12,02. NON-CONFORMING LOTS OF RECORD. A single-family dwelling and customary accessory buildings may be erected on any lot of record at the effective date of adoption of this Ordinance, provided the width, depth, and area is not less than one-half (50 percent) of that required by this Ordinance. Permission to build on smaller recorded lots which lack adequate width, depth, or area, may be granted by the Board of Zoning Appeals as long as reasonable living standards can be provided.

Section 12,03. NON-CONFORMING STRUCTURES. Where a lawful structure exists at the effective date of adoption of this Ordinance that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful; subject to the following provisions:

- A. No such non-conforming structure may be enlarged or altered in anyway which increases its non-conformity.
- B. Should such non-conforming structure be destroyed by any means to an extent of more than seventy-five percent (75%) of its value, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

- C. Should such structure be moved for any reason whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 12.04. NON-CONFORMING USES OF LAND OR STRUCTURES. Where at the time of passage of this Ordinance lawful use of land or structures exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, provided:

- A. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land or additional structures than that occupied at the effective date of adoption or amendment of this Ordinance.
- B. If any such non-conforming use ceases for any reason for a period of more than twelve (12) months any subsequent use shall conform to the regulations specified by this Ordinance.
- C. No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.
- D. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

ARTICLE XIII

Planning Commission

Section 13.01. MEMBERSHIP. There is hereby established a Township Planning Commission as authorized by Section 4 of the Township Planning Act, as amended. The Planning Commission shall consist of between five and seven members appointed by the Township Supervisor with the approval of the Township Board. The members shall be representative of major interests as they exist in the Township. One member of the Planning Commission shall also be a member of the Township Board. Each member shall be appointed for a term of three years, except that the term of the member who also serves on the Township Board shall terminate if the membership on the Township Board terminates before the end of the three-year Planning Commission term. The Planning Commission shall elect a Chairman, Vice-Chairman, and Secretary from its members. The terms of these offices shall be one year.

Section 13.02. POWERS. The Planning Commission shall have the power to review and approve site plans pursuant to Article XIV of this Ordinance, to hear and decide requests for uses permitted after special approval pursuant to Article XV of this Ordinance, and to hear and make recommendations on zoning amendment requests pursuant to Article XVII of this Ordinance. The Planning Commission shall also have the power to prepare and adopt a plan as a guide for the development of the Township as provided for in the Township Planning Act.

ARTICLE XIV

Site Plan Review Requirements

Section 14.01. SCOPE. A site plan shall be prepared and submitted for every construction project and every proposed change in land use, except that no site plan shall be required for single-family residences, farm buildings, or buildings which are accessory to single-family residences.

Section 14.02. PROCEDURE. All site plans shall be submitted first to the Zoning Administrator, who shall review the plans for compliance with the requirements of the Zoning Ordinance. The Zoning Administrator shall then refer the site plan to the Planning Commission for review and decision. Once a site plan is approved by the Planning Commission, it shall not be altered without the consent of the Planning Commission.

Section 14.03. CONTENT. Each site plan shall include the following:

- A. Area of the site.
- B. Date, north point, and scale.
- C. Dimensions of all property lines.
- D. Location and dimensions of all existing and proposed structures on the property and on adjacent properties and their structures within 100 feet of the property lines.
- E. Location and dimensions of all existing and proposed roads (including rights-of-way), driveways, sidewalks, and parking areas (see Article X).
- F. Location of all existing and proposed utility lines, wells, septic systems, and storm drainage.
- G. Location, dimensions and details of proposed plantings, greenbelts and landscaped areas (see Section 11.09).

- H. Exterior drawings of proposed new buildings or existing buildings to which major additions are proposed.
- I. Location, dimensions, and drawings of existing and proposed signs (see Section 11.07).
- J. Name, address, and telephone number of the person who prepared the site plan.

Section 14.04. STANDARDS. In determining whether to approve, modify, or deny a site plan, the Planning Commission shall consider the following:

- A. Adequacy of traffic ingress, egress, circulations, and parking.
- B. Adequacy of landscaping to protect adjoining properties and enhance the environment of the community.
- C. Location and design of proposed structures so as to ensure that detrimental effects on adjacent properties will be minimized.
- D. Adequacy of storm drainage.
- E. Location and design of signs so as to prevent highway visibility obstructions, driver distractions, encroachments, and adverse impacts on the community environment.

Section 14.05. BOND. A cash deposit shall be posted with the Township as a guarantee that the project will be completed in accordance with the approved site plan. Upon the completion of the project in accordance with the approved site plan, the bond shall be released. The amount of the bond shall be five (5%) percent of the project cost, but in no case shall the bond amount be less than One Thousand (\$1,000.00) Dollars.

Section 14.06. TIME FOR COMPLETION. Each site plan shall be fully complied with and all construction completed within one (1) year of the date the building permit is issued. Site plan approval shall expire two (2) years from the date the Planning Commission granted initial approval, unless the site plan has been fully completed or unless an extension has been granted by the Planning Commission.

ARTICLE XV

Procedures For Uses Permitted After Special Approval Of The Planning Commission

Section 15.01. APPLICATION. For all uses permitted after special approval, a written application shall be submitted to the Planning Commission. Such application shall contain a description of the proposed use, a legal description and street location of the property on which the proposed use would be located, the signature of the property owner, the signature of the petitioner (if different from the property owner), and a scale drawing of the site. The scale drawing shall show existing and proposed buildings, driveways, points of ingress and egress, parking areas, fencing, landscaping, signs and road right-of-ways.

Section 15.02. HEARING. Requests for uses permitted after special approval may be heard and decided at any regular or special meeting of the Planning Commission, provided the petitioner has presented all required information and proper notice has been given. Notices of public hearing on uses permitted after special approval shall be sent to the person requesting the special approval and to owners and occupants of property within a minimum of 500 feet from the property lines of the property which is the subject of the request for special approval. Notice shall be sent by regular mail and shall be sent to the property owners as shown on the latest tax assessment roll. A notice shall also be published once in a local newspaper. All notices shall be given not less than five (5) days nor more than fifteen (15) days prior to the hearing.

Section 15.03. STANDARDS. Requests for uses permitted after special approval shall be granted or denied based on the following standards:

- A. The location, size and character of the proposed use shall be in harmony with, and appropriate to the surrounding neighborhood.
- B. The proposed use shall not result in the creation of a hazardous traffic condition.
- C. The site layout, intensity of use, and time periods of use shall not be such as to create a nuisance due to dust, noise, smell, vibration, smoke, or lighting.
- D. All specific requirements of the zoning district where the proposed use would be located shall be complied with.

Section 15.04. DECISION. The Planning Commission may deny, approve, or approve with conditions any request for a use permitted after special approval. The decision of the Planning Commission shall be incorporated in a statement containing the conclusion on

which the decision is based and any conditions imposed. Any condition imposed shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

Section 15.05. EXPIRATION. Planning Commission permission for a use permitted after special approval shall expire one year from the date of the meeting at which permission is granted unless the premises has actually been occupied by the use permitted or unless construction has been undertaken to prepare the premises for the use permitted within the one-year period. Any special approval land use which has not been utilized for a period of one-year or more shall be void.

ARTICLE XVI

Zoning Board Of Appeals

Section 16.01. MEMBERSHIP. There is hereby established a Zoning Board Of Appeals as authorized by Section 18 of the Township Rural Zoning Act, as amended. The Zoning Board Of Appeals shall consist of three members appointed by the Township Board. One member shall be a member of the Township Board. One member shall be a member of the Planning Commission. The remaining member shall be an elector who is not an employee or contractor of the Township. Each member shall be appointed for a term of three years, except that the term of office of the members who are also members of the Township Board or Planning Commission shall terminate if their membership on the Township Board or Planning Commission terminates before the end of the three-year term. The Zoning Board Of Appeals shall elect a Chairman, Vice-Chairman, and Secretary. The Township Board member may not serve as Chairman.

Section 16.02. APPEALS. An appeal may be taken to the Zoning Board Of Appeals by any person wishing to appeal any ordinance provision or any final decision of the Zoning Administrator or the Planning Commission, including special land use decisions. The Zoning Board Of Appeals shall also interpret the zoning map and rule on non-conforming uses and structures whenever the determination of the Zoning Administrator is appealed from. All appeals must be applied for in writing on forms provided by the Township. A public hearing on an appeal shall be held within 90 days of the date the application is submitted to the Township.

The Zoning Board Of Appeals shall give notice of the hearing to the parties involved. The Zoning Board Of Appeals shall also give notice to owners of property within a minimum of 500 feet from the property lines of the property which is the subject of the appeal. Notice shall be by regular mail and shall be sent to the property owners as shown on the latest tax assessment roll.

Section 16.03. POWERS. The Zoning Board Of Appeals shall have the power to vary or modify any ordinance provision or administrative decision whenever there are practical difficulties or unnecessary hardships imposed on the property owner if the strict letter of the Ordinance is carried out. The Zoning Board Of Appeals shall decide appeals in such a manner that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

Section 16.04. DECISIONS. The Zoning Board Of Appeals may require the appellant to provide such additional information as is necessary to make a decision. In making a decision, the Zoning Board Of Appeals may impose such conditions as it may deem necessary to comply with the spirit and purpose of the Zoning Ordinance. The Zoning Board Of Appeals shall state the grounds of each decision. Any conditions imposed by the Zoning Board Of Appeals shall meet the following requirements:

- A. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

Section 16.05. EXPIRATION OF VARIANCE APPROVALS. Any variance shall expire one year from the date it is granted unless use of the property has begun or construction has been undertaken pursuant to the variance.

ARTICLE XVII

Amendments and Rezoning

Section 17.01. APPLICATION. The Township Board may, after a public hearing by the Township Planning Commission, amend the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act

184 of the Public Acts of 1943, as amended. Proposed amendments to the regulations or district boundaries of the Ordinance may be initiated by the Township Planning Commission, the Township Board or an individual petitioner. Whenever an individual petitioner requests a zoning amendment, he shall be the fee owner of the premises concerned or else have the fee owner also subscribe to his petition. A petition for rezoning shall be submitted to the Township Clerk along with a rezoning fee, as established by the Township Board.

Section 17.02. NOTICE OF HEARING. Notice of a public hearing by the Planning Commission shall be published twice in a newspaper of general circulation in the Township for each proposed amendment to the regulations or district boundaries. The first publication shall be made not more than 30 nor less than 20 days before the date of the hearing. The second publication shall be made not more than eight days before the date of the hearing. If property is proposed to be rezoned, notice shall also be delivered personally or by mail to the owner of the property proposed for rezoning and the owners and occupants of all property within 1500 feet of the property proposed to be rezoned. The notice shall be delivered at least eight days before the hearing.

Section 17.03. PLANNING COMMISSION HEARING AND RECOMMENDATIONS. After conducting the required public hearing, the Township Planning Commission shall adopt recommendations as to the approval or denial of the proposed rezoning of property or amendment to the Ordinance regulations. Upon completion of action by the Township Planning Commission, the proposed rezoning or amendment shall be submitted to the Sanilac County Planning Commission for review and recommendation.

Section 17.04. TOWNSHIP BOARD. Upon receipt of the recommendations of the Township Planning Commission and the County Planning Commission, the Township Board shall undertake consideration of the proposed rezoning or amendment. If no recommendation is received from the County Planning Commission within 30 days after it received the proposed rezoning or amendment, the Township Board shall conclusively presume that the County has waived its right for review and recommendation. Any decision by the Township Board which results in the rezoning of property or the amendment of the Ordinance shall be incorporated in an ordinance duly adopted and published by the Township Board.

ARTICLE XVIII

Violations

Section 18.01. PENALTY. Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil

fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Moore Township Civil Infraction Ordinance, being Ordinance Number 97-1. Each day such violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

Section 18.02. NUISANCE PER SE. Any building or structure which is used, erected, altered, razed, or converted or any use of any premises which is begun or changed and in violation of any provision of this Ordinance, is hereby declared to be a nuisance per se.

ARTICLE XIX

Definitions

Section 19.01. DEFINITIONS. For the purpose of this Ordinance, certain terms are herewith defined. Terms not herein defined shall have the meanings customarily assigned to them.

ACCESSORY BUILDING. A building related to and secondary to the main use of the premises.

ACCESSORY USE. A use naturally and normally incidental and subordinate to the main use of the premises.

ALTERATIONS. Any change, addition or modification in construction of the structural members of a building, such as walls, partitions, columns, beams, or girders.

BOARD OF APPEALS. The duly appointed Board of Zoning Appeals for the Township of Moore.

BUILDING. A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support of enclosure of persons, animals, or personal property. This shall include vehicles, trailers, or mobile homes situated on private property and used for purposes of a building.

COMMERCIAL OR INDUSTRIAL FACILITY. Any business or industry located on a parcel of land which has been zoned for commercial or industrial use or which is recognized by the Township as a legal non-conforming use which existed prior to the adoption of the Zoning Ordinance.

DWELLING, DUPLEX. A building used or designed as a residence for two (2) families.

DWELLING, MULTIPLE-FAMILY. A building used or designed as a residence for three (3) or more families.

DWELLING, SINGLE-FAMILY. A building used or designed exclusively as a residence for one (1) family.

DWELLING UNIT. Any house, building, mobile home, or portion thereof which is designed for or occupied as a residence or sleeping quarters for a person, persons, or family as a single unit.

ERECTED. The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required to construct a building. Excavations, fill, or drainage relating to the construction or placement of a structure shall be considered a part of erecting.

EXCAVATING. The removal of sand, stone, gravel or dirt from its natural location.

FARM. All of the associated land, operated as a single unit on which bona fide farming is carried on, including livestock and poultry raising, feedlots, dairying, crop production, forestry, tree and shrub nurseries, greenhouses, sod farms, truck gardens and similar enterprises involving agricultural production. This shall include portable sawmills used for the purpose of processing the wood grown on the farm on which the sawmill is located.

FARM BUILDING. Any building or structure, other than a dwelling, which is customarily used on farms for the pursuit of their agricultural activities.

FILLING. The depositing or dumping of any matter onto or into the ground.

FLOOR AREA. The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls. The "floor area" of a building shall include the basement floor area when more than one-half (1/2) of the basement height is above the finished lot grade.

INSTITUTIONAL FACILITY. Any church, school, governmental building or facility, lodge hall, veterans organization building, or similar non-profit facility serving the community.

JUNK. Any motor vehicles, machinery, appliances, product, merchandise, scrap metals or other scrap materials that are deteriorated, or are in a condition which cannot be used for the purpose that the product was manufactured.

JUNK YARD. Any property used for the storage, keeping, dismantling, or abandonment of junk outside of an enclosed building.

KENNEL. Any lot or premises on which four (4) or more dogs, six (6) months old or older, are kept either permanently or temporarily.

LIVESTOCK. Horses, cattle, sheep, goats, mules, donkeys, hogs, and other hoofed animals.

LOT OF RECORD. Any parcel of land which is separately described in a deed, land contract, or similar legal document evidencing a conveyance of ownership and recorded with the Sanilac County Register of Deeds.

MOBILE HOME (includes house trailer, trailer coach, and double-wide mobile home). A dwelling unit designed for long term occupancy and designed to be transported after fabrication on its own wheels or as one or more units. This includes all units which could be licensed under the provision of Act 300 of the Public Acts of 1949, as amended.

MOBILE HOME PARK. Any parcel of land which has been designed, improved or used for the placement of three or more mobile homes for dwelling purposes.

OFF-SITE SIGN (BILLBOARD). A sign advertising something other than the facility which is located on the same parcel of land as the sign.

PARKING SPACE. An area of not less than nine and one-half (9-1/2) feet wide by twenty (20) feet long, designed for the parking of a motor vehicle, such space being exclusive of necessary drives, aisles, entrances, or exits and being fully accessible for the storage or parking of permitted vehicles.

PLANNING COMMISSION. The duly appointed Planning Commission of Moore Township, as authorized by Michigan Public Act 168 of 1959.

PRINCIPAL ON-SITE SIGN. A sign advertising the name of a facility located on the same parcel of land as the sign.

QUARRYING. The removal of sand, clay, gravel, soil or similar material from its natural location for sale or use on a parcel of land other than the parcel on which the material was originally located.

SECONDARY ON-SITE SIGN. A sign advertising a service or product available at a facility located on the same parcel of land as the sign.

SETBACK. The distance between the base of a building and a road right-of-way line or a property line.

SIGN. Any outdoor sign, display, device, figure, painting, writing, drawing, message, placard, poster, billboard, or other thing designed, intended, or used to advertise or inform persons who are on the public roads.

SIGN AREA. The total surface area of a sign. In the case of signs having two sides back-to-back, the sign area shall be the total surface area of one side of the sign.

STRUCTURE. Anything constructed, erected, or placed on a parcel of land which is permanently located in the ground or attached to something having a permanent location. This shall include buildings, mobile homes, pre-manufactured units, modular units, and similar items. Any structure located on the same premises for more than six months shall be deemed to be permanently located within the meaning of this definition.

SWIMMING POOL. The term "swimming pool" shall mean any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches. Ponds shall not be deemed to be swimming pools.

TELECOMMUNICATION TOWERS. Towers and satellite antennae used for the transmission or conveyance of radio, television, telephone, or other communication signals for commercial purposes. This shall not include towers and antennae used solely by a single family or a single farm operation.

TOWNSHIP BOARD. The duly elected or appointed Township Board of the Township of Moore.

TRAVEL TRAILERS (including recreational vehicles, camping trailers, truck campers, and motor homes). Vehicular-type portable structures, primarily designed as temporary living accommodations for recreational camping or travel use. These vehicles can either be towed, hauled, or affixed to another vehicle and driven from one site to another without requiring a special transportation permit for travel.

TRAVEL TRAILER PARK. Any parcel of land designed, improved, or used for the placement of three (3) or more travel trailers or tents (used for recreation, camping or travel use) for overnight accommodations.

USE. The purpose for which a parcel of land or a building is designed, arranged, or intended or the purpose for which it is occupied, maintained, or leased.

YARD. An open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward.

ARTICLE XX

Severability and Repeal

Section 20.01. SEVERABILITY. This Ordinance and the various articles, sections, paragraphs, sentences, and clauses thereof, are hereby declared to be severable. If any article, section, paragraph, sentence, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

Section 20.02. REPEAL. The former Moore Township Zoning Ordinance, adopted on the 5th day of February, 1986, and all amendments thereto, are hereby repealed in their entirety.

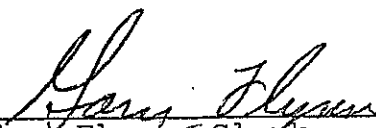
ARTICLE XXI

Enactment

Section 21.01. ORDINANCE ENACTED. The provisions of this Ordinance are hereby enacted and declared to be necessary for the preservation of the public health, safety, and welfare of the people of the Township of Moore.

Section 21.02. EFFECTIVE DATE. This Ordinance is ordered to be given effect on the 6th day of August, 1997, being seven days after the date of publication specified in Section 21.03, pursuant to Michigan Public Act 184 of 1943, as amended.

Section 21.03. CERTIFICATION. The undersigned Clerk of the Township of Moore hereby certifies that this Ordinance is a true copy of the Ordinance which was duly adopted by the Moore Township Board, at a meeting held on the 24th day of July, 1997. I further certify that a notice of adoption of this Ordinance was duly published in the Sanilac County News on the 30th day of July, 1997, pursuant to Section 11a of Michigan Public Act 184 of 1943, as amended.

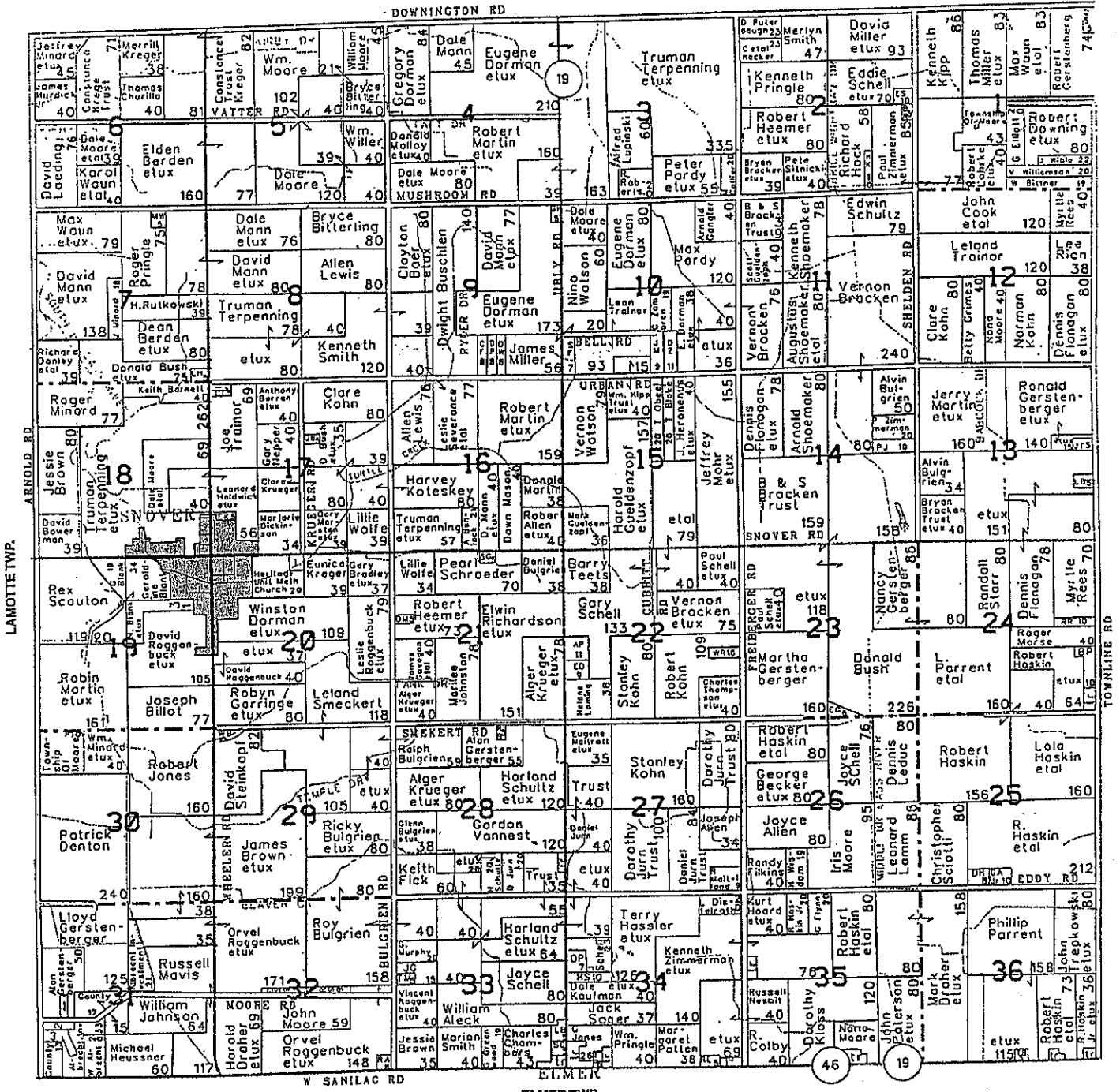


Gary Flynn, Clerk
Township of Moore

ZONING MAP

ARGYLE TWP.

DOWNINGTON RD



- AR Agricultural Residential
- R Higher Density Residential
- MHP Mobile Home Park
- C Commercial
- I Industrial

